

REMARKS

Claim Status

Claims 1-24 are pending and stand rejected. Claims 1-15 and 16-20 stand rejected under 35 U.S.C. § 101 as allegedly being directed to non-statutory subject matter. Claims 1-24 stand rejected under 35 U.S.C. § 103 as allegedly being unpatentable over U.S. Patent Application Publication No. 2002/0099654 by Nair, hereinafter "Nair."

Claims 1, 3, 16, 19, 20, 21, 23, and 24 have been amended and claims 2, 18, and 22 have been canceled. No new matter has been added. Support for the amendments can be found in the specification as originally filed at least at page 4, lines 5-7 and page 4, line 30 – page 5, line 5.

Rejections Under 35 U.S.C. § 101

Claims 1-15 and 16-20 stand rejected under 35 U.S.C. § 101 as allegedly being directed to non-statutory subject matter. Claims 1 and 16, as amended, recite a computerized method. Accordingly, applicant respectfully request reconsideration and withdrawal of the rejections to claim 1-15 and 16-20 under 35 U.S.C. § 101 (as claims 2-15 depend from claim 1 and claims 17-20 depend from claim 16).

Rejections Under 35 U.S.C. § 103

Independent claims 1, 16, and 20, as amended, each include features that are neither disclosed nor suggested by the cited reference, either taken alone or in combination, namely as represented by claim 1:

1. (Currently Amended) A computerized method for fundraising, comprising:
receiving a transaction purchase amount from a merchant;
receiving a purchaser identification, from a point of sale location, via a donation program card that is not a credit card;
determining a donation amount based on the received transaction purchase amount and a predefined donation percentage for the merchant; and
crediting the determined donation amount to an account of a beneficiary. (emphasis added)

Claim 1 is directed to a computerized method for fundraising that uses a donation program card, that is not a credit card, to identify the purchaser. The Nair reference discloses conventional fundraising using a VISA credit card (Nair at para. 2) and fundraising via an Internet website (Nair at para. 3). When faced with the problems associated with fundraising using credit cards, Nair turned to the Internet to solve such problems. The inventors, in direct contrast to Nair's solution, claim a method and system for fundraising using a donation program card, that is not a credit card. Nair does not suggest a donation program card that is not a credit card. Instead, Nair solves the problem of using credit card by avoiding cards completely and therefore, cannot suggest a donation program card, as recited by the claims.

Accordingly, applicant submits that the cited references, either taken alone or in combination, do not disclose or suggest the features of independent claims 1, 16, or 21. Additionally, inasmuch as dependent claims 3-15, 17, 19-20, and 23-24 (which have also been rejected) are dependent on claim 1, 16, or 21, these claims are patentable over the cited references, at least by virtue of their dependency. Accordingly, applicant respectfully requests reconsideration and withdrawal of the rejections of claims 1, 3-17, 19-21, and 23-24 under 35 U.S.C. § 103.

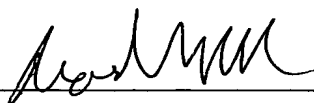
Conclusion

For all of the foregoing reasons, applicant respectfully submits that the application is now in condition for allowance. Reconsideration of the office action and an early notice of allowance are respectfully requested. In the event that the examiner cannot allow the present application for any reason, the examiner is encouraged to contact the undersigned attorney, Raymond N. Scott Jr. at (215) 564-8951, to discuss resolution of any remaining issues.

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Raymond N. Scott, Jr.
Attorney for Applicant
Registration No. 48,666

Woodcock Washburn LLP
One Liberty Place - 46th Floor
Philadelphia PA 19103
Telephone: (215) 568-3100
Facsimile: (215) 568-3439